IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 5979 of 2006
Date of Decision: 17.11.2006

The Haryana State Coop. Supplies & Marketing Federation Ltd.

...Petitioner

Versus

Som Nath and Roshan Lal Civil Contractors and another

....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Ms. Monica Chhibber Sharma, Advocate, for the petitioner.

JUDGMENT

The challenge in the present revision petition is to the order passed by the learned Executing Court on 19.7.2006, whereby objections filed by the petitioner, were dismissed.

It has been found by the learned Executing Court that the objections raised by the petitioners are the same, which were raised in the proceedings for making the award as Rule of the Court. It was observed that though the order dated 16.1.2002 has been challenged by the petitioner before this Court, but there is no stay and as such, the objections were found to be without any merit.

This Court while admitting the Civil Revision No. 6135 of 2005 against the order dated 16.1.2002 passed by the learned trial Court and the order dated 1.10.2005 passed in appeal has ordered the stay of

execution of the award to the extent of Rs.2,25,000/- along with interest thereon.

In view of the fact that order making award as rule of Court has not been stayed in its entirety, the petitioner cannot seek any interference in the order passed by the Executing Court, in exercise of the revisional jurisdiction.

Consequently, the revision petition is dismissed.

17-11-2006 (HEMANT GUPTA)
ds JUDGE